

1.0 Purpose and Need for the Proposed Action

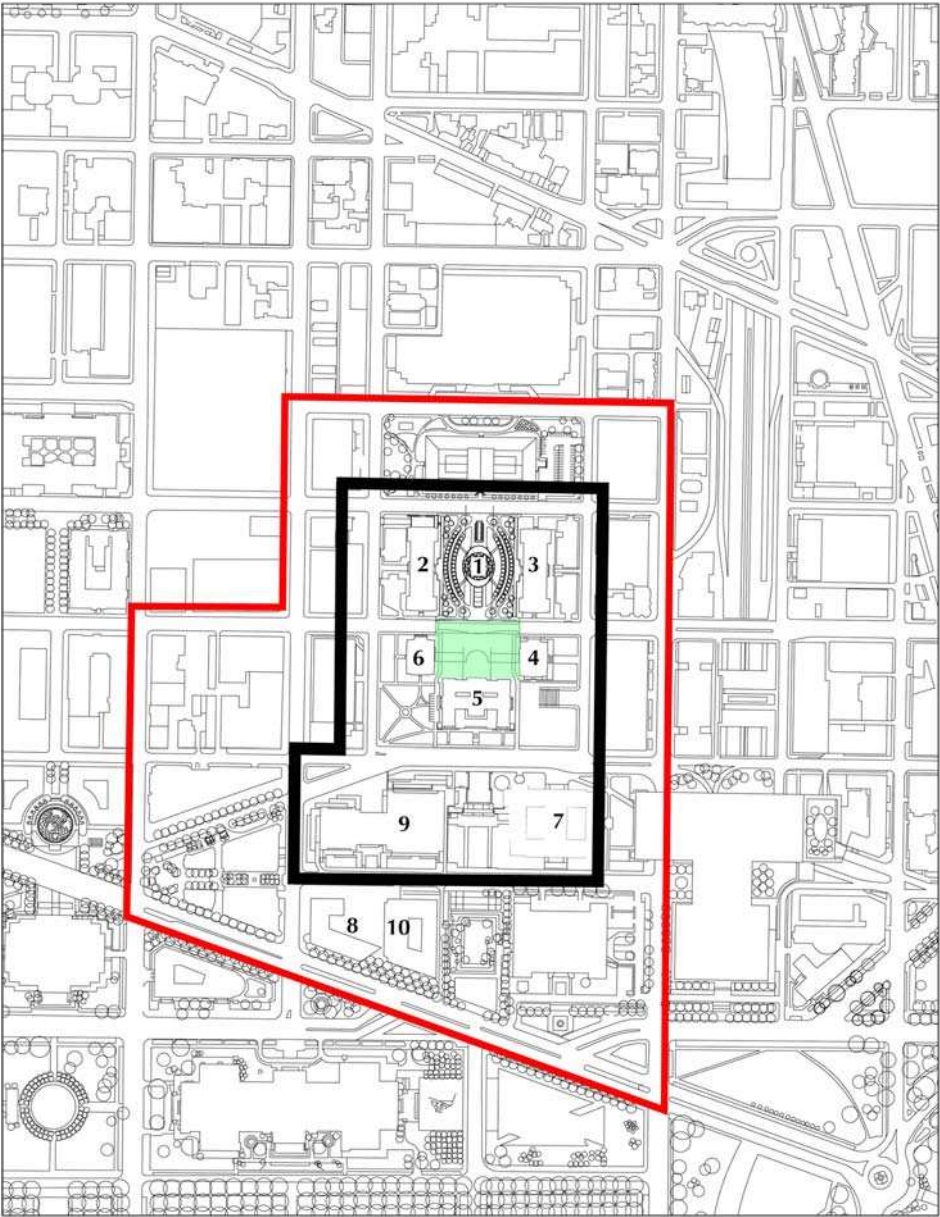


Figure 1-1: Project Location Map

- Study Area
- Judiciary Square Master Plan Boundary
- National Law Enforcement Museum Site
- 1 National Law Enforcement Officers Memorial
- 2 Building A - Police Court
- 3 Building B - Municipal Court
- 4 Building C - Juvenile Court
- 5 Building D - Old City Hall (Old DC Courthouse)
- 6 Building E - US Court of Appeals for the Armed Forces
- 7 Municipal Center
- 8 Newseum Site
- 9 H. Carl Moultrie Court Building
- 10 Canadian Embassy

NATIONAL LAW ENFORCEMENT OFFICERS MEMORIAL FUND, INC.

1 PURPOSE AND NEED FOR THE PROPOSED ACTION

1.1 Introduction

The National Law Enforcement Officers Memorial Fund, Inc. (the Fund) has been granted by Congress (Public Law 106-492, the “National Law Enforcement Museum Act”(the Act) [see appendix A]) the authority to build a new National Law Enforcement Museum (“NLEM” or “Museum”) in accordance with the Act. Under the provisions of the Act, the Fund “...may construct a National Law Enforcement Museum on federal land located on United States Reservation #7, on the property bounded by—(A) the National Law Enforcement Officers Memorial on the north; (B) the United States Court of Appeals for the Armed Forces on the west; (C) Court Building C on the east; and (D) Old City Hall on the south.” (See Fig. 1-1, Project Location Map) In addition, the Act requires that the Fund “...consult with and coordinate with the Joint Committee on Administration of the District of Columbia courts in the planning, design, and construction of the Museum.”

Site selection and acquisition for the Museum was undertaken by the Fund with assistance from Davis Buckley Architects. During the site selection process, a series of meetings were held with the District of Columbia Courts and the United States Court of Appeals for the Armed Forces (USCAAF), who control the Court buildings adjacent to the NLEM site. Urban design guidelines including the selection and acquisition of the site and design parameters were established at these meetings. Subsequently, these design requirements were the subject of Congressional hearings before a committee of the U.S. Senate. The following elements of these design requirements are excerpted from the law:

“...DESIGN REQUIREMENTS.-The Museum shall be designed so that-
(A) there is available for underground planned use by the courts of the District of Columbia for renovation and expansion of Old City Hall-

(i) an area extending to a line that is at least 57 feet, 6 inches, north of the northernmost facade of Old City hall and parallel to that facade; plus

(ii) an area extending beyond that line and comprising a part of a circle with a radius of 40 feet measured from a point that is 59 feet, 9 inches, from the center of the facade;

(B) the underground portion of the Museum has a footprint of not less than 23,665 square feet;

(C) above ground, there is a no-build zone of 90 feet out from the northernmost face of the north portico of the existing Old City Hall running east to west parallel to Old City Hall;

(D) the above-ground portion of the Museum consists of 2 entrance pavilions totaling a maximum of 10,000 square feet, neither of which shall exceed 6,000 square feet and the height of neither of which shall exceed 25 feet, as measured from the curb of the westernmost pavilion;

(E) Sec. 4(a)(2) underground facility-The Memorial Fund shall be permitted to construct part of the museum underground below E Street, NW; and

(F) no portion of the aboveground portion of the Museum is located within the 100 foot-wide area centered on the north-south axis of the Old City Hall.”

The design and plans for the Museum are "...subject to the approval of - (A) the Secretary (of the Interior); (B) The U.S. Commission of Fine Arts (CFA); and, (C) the National Capital Planning Commission." The National Capital Planning Commission (NCPC) requires an Environmental Assessment as part of the required documentation for their review and approval process.

In fulfillment of this requirement, this Environmental Assessment (EA) has been prepared in accordance with the National Environmental Policy Act of 1969, as amended (NEPA) and the Council on Environmental Quality (CEQ) regulations (40CFR 1500-1508) implementing NEPA. NCPC is fulfilling the lead agency role in the development and review of the NEPA process.

The location of the NLEM site is on federal land in the heart of the National Register-listed Judiciary Square Historic District, which includes the adjacent Old City Hall, a National Historic Landmark, and the original District of Columbia Court of Appeals (currently the U.S. Court of Appeals for the Armed Forces) as well as the Pension Building (National Building Museum), facing the old City Hall and site of the museum, which is also a National Historic Landmark. In addition to the National Register listing, these buildings are also part of the D.C. Inventory of Historic Sites. As the project is located within a National Register historic district and will affect a National Historic Landmark, the project is subject to Section 106 Review as required by the National Historic Preservation Act (NHPA). Review and consultation have been ongoing as this Environmental Assessment has been prepared.

This EA describes both the purpose and need for the proposed Museum, the existing conditions of the area potentially affected, and the potential impacts to the natural and human environment resulting from the construction and operation of the Museum. Information provided in this EA was obtained from the National Law Enforcement Officers

1.2 Purpose and Need for the Proposed Action

The proposed action (that is the subject of this EA) is the implementation of the design for the proposed National Law Enforcement Museum (NLEM.)

The purpose of the NLEM is to tell the story of law enforcement in the United States as a means of educating the general public about the mission, history and issues of the law enforcement profession in the U. S. The supporting documentation, provided to Congress, which resulted in the passage of the National Law Enforcement Museum Act is hereby incorporated by reference as demonstration of the need for the proposed action.

1.3 Description of the Proposed Museum

The design for the museum consists of a three level below-grade museum facility, two above-grade entrance pavilions and a public plaza and related site improvements, including walkways, planted areas and skylights to the below-grade spaces as elements of the roof of these areas. The site comprises 42,790 square feet (.98 acres)-see graphic page 61. A nearby facility (not a part of this project) is also planned consisting of a loading facility with loading berths and dock areas, a dock office, trash and recycling rooms and a tunnel connection below-grade linking the three court buildings (C, D and E) with a planned below-grade service tunnel. A below-grade link to this tunnel has been provided for in the design of both the Courts' tunnel and the first below-grade level of the Museum. The purpose of this facility is to consolidate these potentially unsightly elements in an area away from the central space of Judiciary Square. This action resulted from a request made to both the Fund and the D.C. Courts by both NCPC and CFA to study the possibility of a joint loading facility.

1.4 Public/Stakeholder Involvement and Agency Coordination

Through the process of obtaining the site from Congress, the configuration of the site constraints that are imposed on the project by the legislation were established through an open, public process, including a public hearing before a U.S. Senate Committee and through consultation with the D.C. Court of Appeals and its consultants. Testimony was heard from the National Park Service and the U.S. General Services Administration in support of the Museum (see Appendix 5.6.3 for records of the testimony before the Senate.) The design for the Museum's above-grade appearance and configuration are subject to a public review and approval of plans by both NCPC and CFA.

The various stakeholders, governmental and review agencies that have been, or will be consulted, in the design of the project include: the District of Columbia Courts, District (of Columbia) Department of Transportation (DDOT); Office of Planning (OP), Advisory Council on Historic Preservation (ACHP); the U.S. General Services Administration (GSA); the National Park Service (NPS); U.S. Marshal's Service; the U.S. Federal Courts and the Washington Metropolitan Area Transit Authority (WMATA). In addition, informational presentations have been made to representatives of both the Committee of 100 on the Federal City and the National Building Museum.

1.5 Issues Studied in Detail

This EA document examines the potential impacts of the proposed Museum on the following resource disciplines: Socio-economic Resources, Cultural Resources, Transportation Resources, Physical and Biological Resources, and Utilities/Infrastructure. Issues of particular concern include land use, historic resources, visual quality, traffic and parking, pedestrian circulation, and stormwater management. The following table (1-1) provides a summary of the potential impacts of the two alternatives assessed in this EA:

Table 1-1:
Summary of Potential Impacts

RESOURCE	MUSEUM ALTERNATIVE	NO ACTION ALTERNATIVE
SOCIO-ECONOMIC RESOURCES		
Land Use; Planning Policies; Community Facilities; Demographic & Environmental Justice; Economic/Fiscal Resources	<u>Potential Impacts</u> <ul style="list-style-type: none"> • Consistent with established land uses in the study area. • Positive impact due to removal of surface parking and return of the site to landscaped pedestrian areas and the provision of cultural/educational facilities. • Consistent with the <i>Comprehensive Plan for the National Capital, Federal Elements and District Elements</i>. The <i>Federal Elements</i> with relevant policies include: Transportation, Parks and Open Space, Federal Environment, Preservation and Historic Features, and Visitors. The <i>District Elements</i> with relevant policies include: Land Use, Environment, Economic Development, Park, Recreation and Open Space, Urban Design, and Historic Preservation. • Generally consistent with local zoning as per use. 	<u>Potential Impacts</u> No improvements to land use in Judiciary Square.

RESOURCE	MUSEUM ALTERNATIVE	NO ACTION ALTERNATIVE
CULTURAL RESOURCES		
Archeological Resources; Historic Resources; Visual Resources	<p><u>Potential Impacts</u></p> <ul style="list-style-type: none"> • Moderate adverse effect to the visual and spatial relationships among the historic buildings on Judiciary Square due to the presence of the National Law Enforcement Museum (NLEM). • Positive effect on historical character due to the open space improvements and removal of surface parking. • Potential adverse effects on the structural integrity of the existing historic buildings, new courthouse entry addition, and any other appurtenances. • Minor adverse effects to existing vistas due to new access pathways, appurtenances, and security features required by DC courts. <p><u>Mitigation</u></p> <ul style="list-style-type: none"> • Maintain 100' wide view corridor on centerline axis between Old City Hall and Pension Building in accordance with PL 106-492 and public walkways to the east and west of the East and West Entry Pavilions of the Museum respectively. • Ensure that construction of underground Museum will not compromise the structural integrity of adjacent historic buildings or new courthouse addition and appurtenances • Design and construct the proposed Museum to be architecturally and visually compatible. 	<p><u>Potential Impacts</u></p> <p>No effects to historic resources and no enhancement of visual quality.</p>

RESOURCE	MUSEUM ALTERNATIVE	NO ACTION ALTERNATIVE
TRANSPORTATION		
Roadway Traffic; Parking Availability & Proximity; Public Transportation; Pedestrian/Bicycle Circulation	<p><u>Potential Impacts</u></p> <ul style="list-style-type: none"> No impact on traffic volumes. Minor positive impact on traffic circulation. Impact on traffic due to closing of E Street during utility relocation and construction of that portion of the Museum that lies below E Street. Major positive impact on pedestrian circulation due to proposed improvements of the pedestrian paths. <p><u>Mitigation</u></p> <ul style="list-style-type: none"> Minimize impact of closing of E Street during construction by re-routing of E Street traffic. 	<p><u>Potential Impacts</u></p> <p>No traffic circulation improvement to area and continued difficulties with on-street parking.</p>
PHYSICAL/BIOLOGICAL RESOURCES		
Air Quality; Noise Levels; Natural Resources; Hazardous Materials	<p><u>Potential Impacts</u></p> <ul style="list-style-type: none"> Minimal impacts on air quality and noise levels. Positive impact due to removal of surface parking and potential oil and gasoline contamination, and the incorporation of a sand filter on site. Excavated soil for the construction of Museum may contain natural or manmade contaminants that would be identified through soil testing prior to construction. Minor impact in increase of planting area when Museum pavilions and plaza are built. <p><u>Mitigation</u></p> <ul style="list-style-type: none"> Dispose of, in a manner that is consistent with applicable laws, any hazardous materials that may be encountered. Development of new planting areas on site. 	<p><u>Potential Impacts</u></p> <p>No increase in vegetation and open space in the area.</p>

RESOURCE	MUSEUM ALTERNATIVE	NO ACTION ALTERNATIVE
UTILITIES/INFRASTRUCTURE		
Stormwater Systems; Wastewater Systems; Water Supply Systems; Energy Supply Systems; Solid Waste Systems	<u>Potential Impacts</u> <ul style="list-style-type: none"> • Decrease in hard surface areas would decrease stormwater runoff during peak storm periods. • Collection and filtering of stormwater runoff on site would improve quality of water discharged into storm sewers. 	<u>Potential Impacts</u> No improvement to stormwater management in the area.

1.6 Other Projects in the Area

There are two projects not under the control of the Fund that could have cumulative effects on the Master Plan area. The two projects are located within the same block as the Museum, adjacent to the proposed Museum (see fig. 1-2, Existing Conditions and Other Proposed New Construction). These potential cumulative projects include:

- New additions and other alterations and renovations to the Old City Hall/Courthouse (D.C. Court Building D). The north addition comprises a new main entrance for the building incorporating security screening elements in an approximately three story structure. In addition, the new construction includes a below-grade service tunnel, various mechanical and support facilities that project to the surface, and a loading facility within the footprint on the east side of the block with access off 4th street, N.W.
- A new below-grade parking structure, serving the courts complex, in the southwest quadrant of the block that contains the Old City Hall and Court Buildings C and E (the U.S. Military Court of Appeals for the Armed Forces).

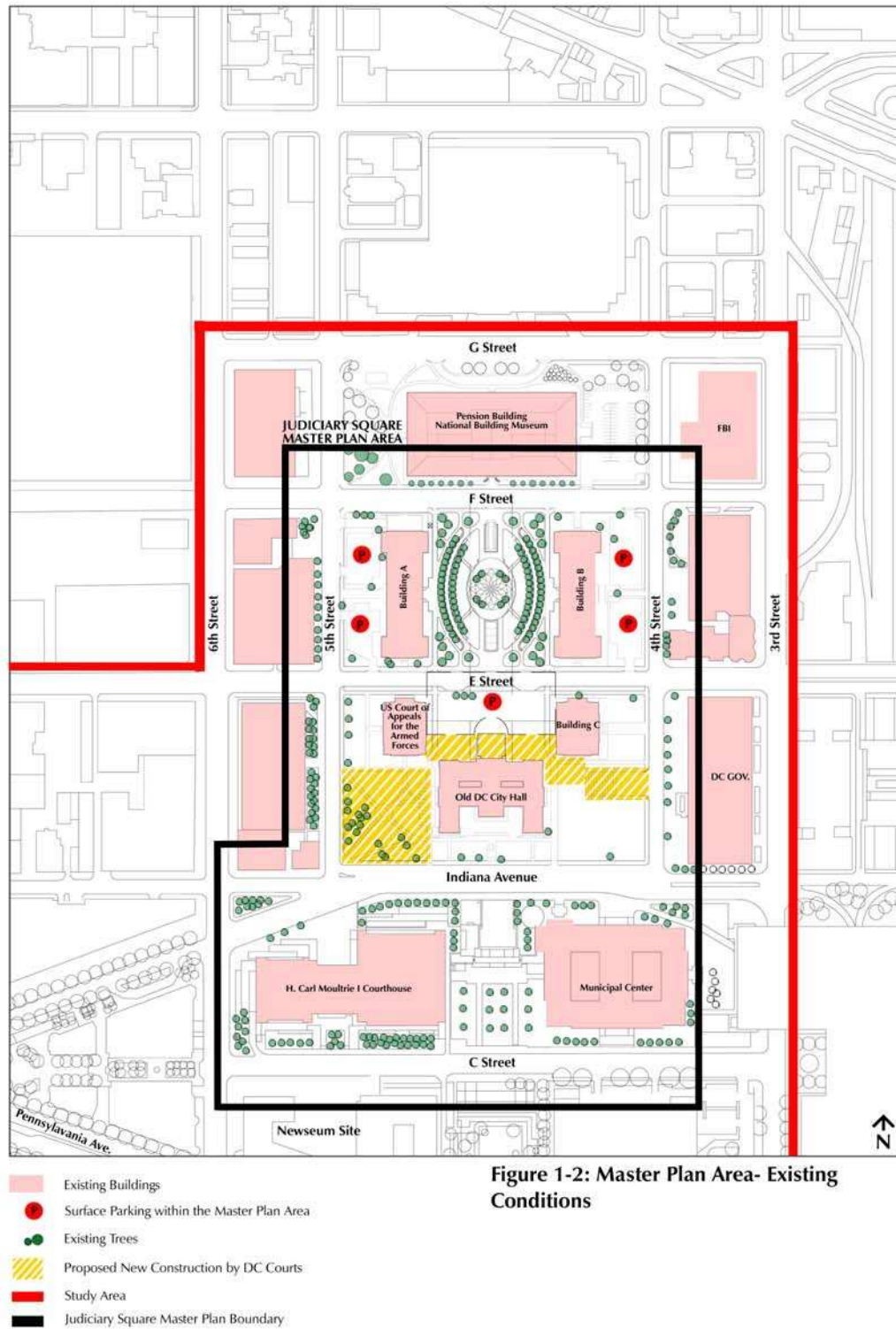


Figure 1-2: Master Plan Area- Existing Conditions

